**IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA**

**Civil Writ Petition No.574 of 2006.**

**Date of decision:13.09.2006**

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**Bhag Chand Sharma** **….Petitioner**

**Versus**

**State of H.P.& Others** **….Respondents**

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*Coram*

**The Hon'ble Mr.Justice V.K. Gupta, C.J.**

**The Hon'ble Mr.Justice Surjit Singh,J.**

*Whether approved for reporting ?*[1]

**For the Petitioner:** **Ms.Ranjana Parmar,Advocate.**

**For Respondents 1 & 2:** **Mr.M.S. Chandel, Advocate General with Mr.J.K. Verma, Deputy Advocate General.**

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**V.K. Gupta,C.J. Oral.**

The petitioner's grievance is that on 9th May, 2006 the learned Tribunal admitted O.A.(M) No.277 of 2005 but did not dispose it of finally despite the orders passed by this Court on 28th February, 2006 in CWP No.83 of 2006. The order dated 28.2.2006 reads thus:

> "Mr.Onkar Jairath, Advocate appearing vice Mrs.Ranjna Parmar, Advocate for the petitioner submits that the O.A. is fixed before the Tribunal for 7th March, 2006. According to him, if this Court issues a direction for the

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[1] *Whether the reporters of Local Papers may be allowed to see the judgement*?

expeditious disposal of the O.A., he has instructions to withdraw this petition.

We have perused the office order No.IPH-SNK-E-6/2005-13214-19 dated 31st October, 2005 which the petitioner has challenged in O.A.(M) No.277 of 2005. We feel that in the facts and circumstances of this case, it shall be in the interest of justice if the O.A. is disposed of very very expeditiously by the Tribunal.

Since the O.A. has been fixed for consideration by the Tribunal on 7th March, 2006, we direct that the Tribunal shall make an earnest endeavour to finally hear and dispose of the O.A. on that day itself and if not possible to ensure that the O.A. is heard and disposed of before 31st May, 2006.

Based on the aforesaid observations, this petition is disposed of as withdrawn.

**CMP No.103 of 2006**.

Infructuous, in view of the order passed in the main matter".

Perhaps the aforesaid order was not brought to the notice of the learned Tribunal when it passed the order dated 9th May, 2006. We permit the petitioner to make a fresh application before the Tribunal for expeditious disposal of the O.A. If the petitioner does so within two weeks from

today and encloses with the aforesaid application a copy of our aforesaid order, we direct that the O.A. shall be disposed of before ***31st December, 2006***.

**( V.K. Gupta )**
**Chief Justice**

**September 13, 2006**
**(aks)**

**( Surjit Singh )**
**Judge.**